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TO: Commissioner for Patents
Attn: Examiner Alton N. Pryor
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Mark T. Skoog
OUR REF: 163.1587US01
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Title of Document Transmitted: RESPONSE AND PETITION FOR EXTENSION OF TIME

Applicant: HEI ET AL.
Serial No.: 10/086,765
Filed: FEBRUARY 28, 2002
Group Art Unit: 1616
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Confirmation No. 8789

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Name: Mark T. Skoog
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S/N 10/086,765

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HEI ET AL.	Examiner:	A. PRYOR
Serial No.:	10/086,765	Group Art Unit:	1616
Filed:	FEBRUARY 28, 2002	Docket No.:	163.1587US01
Confirmation No.:	8789	Customer No.:	23552
Title:	TWO SOLVENT ANTIMICROBIAL COMPOSITIONS AND METHODS EMPLOYING THEM		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on June 1, 2004.

By: Kate Gannon
Name: KATE GANNONRESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of April 1, 2004, please consider the following remarks. The Office Action adds further specificity to a previously stated Species Election Requirement. The Examiner asserts that applicants must name a single diester dicarboxylate and a single peroxy carboxylic acid that will be searched at this time.

In response, Applicants elect dimethyl sebacate as the diester dicarboxylate and peroxyoctanoic acid as the peroxy carboxylic acid.

Applicants believe that generic claims are allowable in this application, which will render this species election moot. Further, Applicants respectfully traverse the species election requirement on the basis that searching diester dicarboxylates and peroxy carboxylic acids does not present an undue burden on the Examiner.